

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
November 8, 2004**

CIVIL            CONSUMER ADVOCATES et al.  
No.               v.  
G029811       DAIMLERCHRYSLER CORPORATION et al.

Order filed. On the court's own motion, and for good cause, the previous order submitting this case is hereby vacated. It appears to the court the issues involved in this appeal may be affected by the provisions of Proposition 64 adopted on November 2, 2004, and effective November 3, 2004. (Cal. Const., art. II & 10.) The parties are invited to address the following issues: (1) are the causes of action asserted in the complaint, or any of them, barred by the provisions of Proposition 64; and (2) if so, should Proposition 64 be applied to pending cases? The briefs shall be informal letter form and shall be filed no later than December 3, 2004. Upon filing of the supplemental letter briefs, the matter will be resubmitted for the time allowed by law.

O'Leary, Acting P.J.

CRIM            THE PEOPLE  
No.               v.  
G032161       ROBERT ALAN WILSON

Order modifying opinion and denying petition for rehearing; no change in judgment.  
Sills, P.J.

We concur:   Rylaarsdam, J.  
                     Moore, J.

CIVIL            ELISA M. YAU  
No.               v.  
G033684       PETER S. YAU

Order modifying opinion and denying petition for rehearing; no change in judgment.  
Fybel, J.

We concur:   O'Leary, Acting P.J.  
                     Moore, J.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
November 8, 2004**

CRIM            THE PEOPLE  
No.             v.  
G033857       NORMAN CARVER MORROW

Order filed. On the court's own motion and for good cause, the appeal is dismissed.

Rylaarsdam, Acting P.J.

CIVIL           ORANGE COUNTY SOCIAL SERVICES AGENCY  
No.             v.  
G033981       SHARDA M.

Order filed. Pursuant to rule (23)(e)(1) of the California Rules of Court, submission of the above-entitled matter is hereby vacated because this court has learned that the juvenile court terminated the dependent child proceedings in this case on October 25, 2004. Therefore, this court intends to dismiss the appeal as moot. Any party may, but is not required to, file a letter brief no later than November 15, 2004, explaining why this case should not be dismissed. At that time this case will be resubmitted.

Sills, P.J.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
November 9, 2004**

CRIM	THE PEOPLE	Not for publication
No.	v.	
G032207	ELMER TAVITA MACABEO	

Opinion filed. Judgment affirmed.

Rylaarsdam, Acting P.J.

We concur: Moore, J.  
Fybel, J.

CIVIL	MYUNG WOO NAM	Not for publication
No.	v.	
G032269	HYUNG DO MIN et al; FELIPE LOPEZ et al.	

Opinion filed. Order reversed and remanded.

Moore, J.

We concur: Rylaarsdam, Acting P.J.  
Fybel, J.

CIVIL	MARK BOLING	
No.	v.	
G033691	MICHAEL SANTA MARIA et al.	

Order filed. It appears to the court that the issues involved in this appeal may be affected by the provisions of Proposition 64, adopted November 2, 2004, and effective November 3, 2004. (Cal. Const., art II & 10.) Therefore the previous order submitting this case is hereby vacated. The court invites appellant to brief the following issues: (1) Are the causes of action asserted in the complaint, or any of them, barred by the provisions of Proposition 64, and if so, (2) Should Proposition 64 be applied to pending cases? The informal brief shall be in letter form and shall be filed no later than November 19, 2004. Failure to file such a brief will be construed as a concession that the judgment shall be affirmed.

Rylaarsdam, Acting P.J.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
November 9, 2004 (Cont'd)**

CIVIL No. G033821	ORANGE COUNTY SOCIAL SERVICES AGENCY v. KERRI F.	Not for publication
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Opinion filed. Judgment affirmed.

Rylaarsdam, Acting P.J.

We concur: O'Leary, J.  
Aronson, J.

CIVIL No. G033861	ORANGE COUNTY SOCIAL SERVICES AGENCY et al. v. STEPHANIE S. et al.
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Order filed. The petition of Steven C. for rehearing is denied.

Moore, J.

We concur: Rylaarsdam, Acting P.J.  
Ikola, J.

CIVIL No. G034379	MARY B. v. THE SUPERIOR COURT OF ORANGE COUNTY; DYLAN B. et al.
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Not for publication

Opinion filed. Petition denied.

Rylaarsdam, Acting P.J.

We concur: Moore, J.  
Fybel, J

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
November 9, 2004 (Cont'd)**

CIVIL	CAROLYN S. HAMILTON
No.	v.
G034548	CHERYL A. TICE, as Trustee, etc.

Order filed. Appellant's motion to vacate the dismissal, reinstate the appeal, and be relieved from default is granted. The order of dismissal is vacated and the appeal is reinstated. Orange County Superior Court, Appellate Division, is directed to accept the fees for the preparation of the record on appeal, provided the fees are paid within 10 days from the date of this order.

Sills, P.J.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
November 10, 2004**

CIVIL           JOSEPH PATTERSON  
No.             v.  
G031980       RAYMOND BEULIGMANN et al.

Order filed. The petition for rehearing is denied.

Fybel, J.

We concur:   Sills, P.J.  
                  Moore, J.

CIVIL           PERMANENT GENERAL ASSURANCE  
No.             CORPORATION  
G033269       v.  
                  THE SUPERIOR COURT OF CALIFORNIA,  
                  COUNTY OF ORANGE;  
                  MARIA LUISA HERNANDEZ

Certified for publication

Order modifying opinion; denial of petition for rehearing; and denial of request for depublication; no change in judgment.

Ikola, J.

We concur:   Rylaarsdam, Acting P.J.  
                  Bedsworth, J.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
November 11, 2004**

Holiday.

**State of California, Court of Appeal  
Fourth Appellate District, Division 3  
November 12, 2004**

CIVIL JACK R. FINNEGAN Not for publication  
No. v.  
G032847 RICHARD DE FRANCISCO, et al.

Opinion filed. Judgment affirmed.

Sills, P.J.

We concur: Aronson, J.  
Ikola, J.

CIVIL JACK R. FINNEGAN Not for publication  
No. v.  
G033230 RICHARD DE FRANCISCO, et al.

Opinion filed. Judgment affirmed.

Sills, P.J.

We concur: Aronson, J.  
Ikola, J.



